

**MONTANA DEPARTMENT OF CORRECTIONS
YOUTH COMMUNITY CORRECTIONS
Glossary of Terms**

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Abscond – when an individual under community supervision does not appear for meetings with juvenile parole officers as scheduled, leaves placement without permission, or is otherwise unable to be located. ([100-3](#))

Abuse - actual physical or psychological harm to a child; substantial risk of physical or psychological harm to a child; or abandonment. The term includes, but is not limited to: (a) actual physical or psychological harm to a child or substantial risk of physical or psychological harm to a child by the acts or omissions of a person responsible for the child's welfare; or (b) exposing a child to the criminal distribution of dangerous drugs, as prohibited by [45-9-101](#), the criminal production or manufacture of dangerous drugs, as prohibited by [45-9-110](#), or the operation of an unlawful clandestine laboratory, as prohibited by [45-9-132](#). ([1.3.12](#)) ([1.3.52](#))

Accrual – setting aside an amount for expected outstanding payments that will be paid after the end of the fiscal year. ([200-8](#))

Active Counter Measures - physical force, self-defense, or restraints used (other than for transport or upon entering detention). ([60-21](#))

Adjudicated Delinquent - a youth who is adjudicated under formal proceedings under the Montana youth court act as a youth who has committed an offense that, if committed by an adult, would constitute a criminal offense; or who has been placed on probation as a delinquent youth and who has violated any condition of probation. ([150-1](#))

Administrative Hearing – an informal hearing conducted for youth placed at the youth transition centers by a person not directly involved in the incident. ([100-2](#))

Administrator - the official, regardless of local title (administrator, warden, superintendent), ultimately responsible for the division, facility or program operation and management. ([1.3.16](#)) ([1.4.1](#)) ([60-12](#))

AJCA - the Association of Juvenile Compact Administrators established as the governing body of the interstate compact for juveniles (old compact) and charged with establishing operating rules and regulations that pertain to interstate compact management. (*please note the new rules took effect March 1, 2010 and AJCA will only govern non-compacting states.*) ([60-6](#)) ([80-1](#)) ([130-1](#))

Allocation Account - an account created by the department for each judicial district pursuant to [41-5-130, MCA](#). ([200-1](#))

Appeal - the opportunity for a youth to appeal the findings of the hearings officer to the Department director or designee following the on-site hearing pursuant to [52-5-129, MCA](#). [\(4.7.4\)](#) [\(100-4\)](#)

Assessment Tool - an assessment tool to measure the risk and needs of a youth indicating outcomes expected from the treatment or placement and how the outcomes will be measured and documented and may include the Youth Level of Services/Case Management Inventory (YLS/CMI). [\(60-4\)](#)

Audit - a process by which the bureau chief or Juvenile Parole Officer II (JPO II) reviews youth files to ensure supervision standards are met and files are organized according to applicable bureau procedures. [\(1.5.7\)](#) [\(10-5\)](#)

Automated Systems - consists of Child and Adult Protective Services (CAPS) and Youth Management System (YMS). [\(150-1\)](#)

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Basic Training – a structured training program that provides initial knowledge and skills, e.g., juvenile correction/detention officer basic, correction/detention officer basic, adult probation & parole basic. [\(1.4.1\)](#)

Blood Borne Pathogens - pathogenic microorganisms that are present in human blood and can cause disease in humans. Some infections that can be transmitted through contact with blood and body fluids include; HIV, hepatitis A, B, C, staph and strep infections, gastroenteritis-salmonella, and shigella, pneumonia, syphilis, TB, malaria, measles, chicken pox, herpes, urinary tract infections, and blood infections. The greatest risks are from HIV and hepatitis B and C. [\(60-19\)](#)

Bureau Chief – person responsible for organizing and managing the bureau. His/her responsibilities include fiscal management, personnel management, management information and research, medical and health care services and inter/intra-bureau communication. [\(1.1.1\)](#)

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Cancellation of Certificate to Detain - the original certificate to detain document sent to the CJIN/NCIC operator who entered the certificate to detain information requesting that the certificate be canceled. The officer will date and sign the cancellation notice located at the bottom of the certificate to detain. [\(100-3\)](#)

Capacity - the maximum number of youth who can be held in a facility in accordance with good correctional practice as determined by the Department. [\(4.1.1A\)](#)

CAPS - Child and Adult Protective Services, the online statewide management system maintained by the department of public health and human services. CAPS will be referenced as the vehicle through which payments will be made for out-of-home

placements and/or for services provided to the youth. ([60-16](#)) ([150-1](#)) ([200-3](#)) ([200-4](#)) ([200-7](#)) ([200-8](#))

Caretaker – a person other than a parent or guardian with whom a youth resides who provides direct care to a youth on parole supervision. ([60-25](#))

Case Progress Review Report / Parole Officer Summary - a specific individualized plan, developed to guide the juvenile parole officer's approach to supervising the youth and to inform the parolee of expectations. The case progress review report / parole officer summary should build upon the institutional case plan. The plan will include goals with projected time lines and completion dates. ([60-1](#))

Case Record - the paper or computerized youth record created and maintained by juvenile parole officers. The case record includes those records required in [YCC 60-20, Uniform File Organization](#), and youth information maintained in [YCC 60-1, Case Management Overview](#). ([1.5.7](#)) ([10-5](#))

Cause - any indication that a youth may be using an unauthorized substance or any substance in an unauthorized manner. Such indication may be direct (observed by a staff person), hearsay (relayed through other individuals), circumstantial (perceived via reasonable inference), substance abuse history of the youth, or self-admission. ([60-19](#))

CDC – the Center for Disease Control. ([3.2.1](#))

Central Office File - an automated or hard copy record that is maintained in the central office youth community corrections bureau on each youth under the jurisdiction or responsibility of the youth services division. ([1.5.5](#))

Certificate of Need (CON) – documentation for the need of inpatient hospitalization based on the therapeutic levels of care ([60-25](#))

Certificate to Detain - a certificate issued by the Department authorizing the placement of a youth in a detention facility. ([1.1.15](#)) ([100-3](#))

Children's Medicaid – See Healthy Montana Kids (HMK) Plus. ([60-25](#))

Client Payment History (CLPH) - a CAPS screen that details expenditures and trust account detail for youth. ([200-2](#))

Client-Based Payment Detail (CBPD) – a CAPS screen that is used to view and adjust (until approval) the payment information for a specific youth and provider. The screen also allows central office staff to release a payment. ([200-7](#))

Client-Based Payment List (CBPL) – a CAPS screen that lists the status of payment and services to a specific provider, starting with the most recent. ([200-7](#)) ([200-8](#))

Collateral Contact – any person, other than a youth, with whom an employee of the agency may come in contact for official reasons concerning a youth under the care, custody, or supervision of the Department. Collateral contacts may include, but are not limited to: youth’s families, friends and associates; youth’s employers; treatment or medical providers; youth’s school professionals, instructors, trainers, or supervisors; volunteer coordinators; attorneys; judicial personnel; and law enforcement. ([1.3.12](#)) ([60-4](#))

Commit - to transfer to legal custody. ([60-17](#))

Communications Director – an official spokesperson for Department programs, policies, and plans, who develops Department communications policy and procedure and ensures the public is given accurate, consistent, and timely information. ([50-2](#))

Community Service - work that a youth is ordered to complete in the community without financial compensation. ([60-7](#))

Competency – a job-related task that can be observed and measured. ([1.4.1](#))

Competency Based Training – training that has as its objective the mastery of a job-related task. ([1.4.1](#))

Conferences – conventions or seminars presented by experts in a given field that provide an opportunity for staff to assimilate new information and network with professional colleagues. ([1.4.1](#))

Confirmatory Testing – refers to a Department-approved laboratory testing process performed by trained scientists to confirm the presence of a drug or molecule within a testing sample. ([60-19](#))

Conformed Copy - an exact copy of a document filed with a court. To conform a copy, the court clerk will stamp the document with the filing date and add any handwritten notations to the document that exist on the original, including dates and the judge's signature. A conformed copy may or may not be certified. ([200-3](#))

Contact Staff – staff who have frequent youth contact as a normal function of their jobs, to include, but not limited to: administrators; correctional officers; work supervisors; juvenile parole officers; aftercare coordinators; and staff working in offices where youth may be assigned full-time work. ([1.4.1](#))

Continuing Education – courses or seminars that allow staff to earn continuing education units (CEUs) that may be required by state regulatory boards for renewal of licensure or certification. ([1.4.1](#))

Contractor – any person or corporation, other than an employee, providing a service to the Department (e.g., supervision, custody duties at treatment centers, drug and mental health treatment, vocational and educational programs) for an agreed-upon form of

compensation. Contractors may include local government agencies that contract with the Department or individuals who have contact with youth under the supervision of the Department in a community setting. ([1.3.12](#))

Control Continuum Methods - applying a progressive method used to gain control of a youth, starting with passive counter measures. ([60-21](#))

Cost Containment Pool - the funds retained by the department under [41-5-132, MCA](#), for disbursement by the cost containment review panel. ([200-1](#))

Cost Containment Review Panel – the panel established in [41-5-131, MCA](#). ([200-1](#))

Cost-of-Care Contribution - a monthly cost of care amount determined by the district youth court to be appropriate based on the financial information submitted by the parents of youth committed to the Department or youth court and placed out of the home. ([200-3](#)) ([200-9](#))

Cost of Care Contribution (COCC) Payments Received Report - the Access database report for reporting parental contributions. ([200-2](#))

Courtesy Supervision - the direct supervision of a youth who resides in a juvenile parole officer's region but originates from outside the region (another county) or out of state under Interstate Compact for Juveniles (ICJ). ([4.2.1](#)) ([60-1](#)) ([60-11](#))

Court-Ordered Restitution and Associated Financial Obligations - any financial payments or services paid in response to a youth court order committing the youth to the Department of Corrections, with a specific condition of the order for the youth to pay a designated amount toward restitution, fines, fees and other costs. ([5.7.1](#)) ([60-8](#)) ([200-6](#))

Crime Victims Advisory Council - an advisory council comprised of victims, interested parties and the Department victim information specialist. ([60-9](#))

Criminal History - information about youth collected by criminal justice agencies consisting of identifiable descriptions and notations of arrests, detentions, the filing of complaints, indictments, or information and dispositions arising there from sentences, correctional status, and release. ([40-2](#))

Criminal Justice Agency - any court with criminal jurisdiction; any federal, state, or local government agency designated by statute or by a governor's executive order to perform as its principal function the administration of criminal justice. Examples include: municipal/city court; justice courts; district courts; the supreme court; federal courts; city police departments; county sheriff departments; department of justice; federal probation; Department of Corrections; city attorney offices and county attorney offices; juvenile probation offices; and pretrial release services. ([40-2](#))

Criminal Justice Information - information relating to criminal justice, which is collected,

processed, or preserved by a criminal justice agency. ([40-2](#))

Criminal Justice Information Network (CJIN) - a network managed by the Department of Justice (DOJ). CJIN is the Montana computerized telecommunications network that provides the means for criminal justice agencies in Montana to access National Crime Information Center (NCIC), National Law Enforcement Telecommunications System (NLETS), DOJ files, other agencies with terminals within the State of Montana, and the Montana wanted person, stolen vehicle and stolen license plate files. ([100-3](#))

CSED - the Child Support Enforcement Division of the department of public health and human services. ([200-3](#)) ([200-9](#))

CSG - Council of State Governments who, in cooperation with the interstate commission for juveniles, is currently supervising the introduction of the interstate compact for juveniles. At issue are the management, monitoring, supervision and return of juveniles, delinquents and status youth who are on probation or parole and who have absconded, escaped or run away from supervision and control to states other than where they were sentenced. Also at issue is the safe return of juveniles who have run away from home and in doing so have left their state of residence. ([130-1](#))

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Defection - a written and signed denouncement of gang involvement. ([3.1.24](#))

Deficit - the point when a judicial district's allocation account for a given year is over-encumbered. ([200-1](#))

Delinquency - occurs when a parent has not paid their court-ordered monthly cost-of-care contribution for two consecutive months. ([200-9](#))

Delinquent Youth - a youth who is adjudicated by formal proceedings under the Montana youth court act as a youth who has committed an offense that, if committed by an adult, would constitute a criminal offense; or who has been placed on probation as a delinquent youth and who has violated any condition of probation. ([4.1.1A](#))

Department Annual Training Plan – a Department-wide training plan that identifies mandatory or special training based upon various training needs assessments, state or federal law, settlement agreements, and Department policy. ([1.4.1](#))

Department Annual Training Report – a summary of the Department's annual training activities including orientation, basic, in-service, and professional training that details the extent to which training policy requirements are met. ([1.4.1](#))

Department Medical Director – the physician designated by the Department director to oversee the health care of all adult and youth under Department jurisdiction. ([3.2.1](#))

Department Records – information or data, either in written or electronic form, maintained

by the department pertaining to youth who are committed under [41-5-1512 \(1\) \(c\), MCA](#) or [41-5-1513 \(1\) \(b\), MCA](#) or who are under parole supervision. Department records do not include information provided by the Department to the department of public health and human services' management information system or information maintained by the youth court through the office of the court administrator. ([60-22](#))

Department-Required Restitution - any financial payment or services required by a Department program or facility to pay for loss and/or damage to state property caused by a youth. ([5.7.1](#)) ([60-8](#)) ([200-6](#))

DES – Disaster and Emergency Services. ([3.2.1](#))

Designee – an individual appointed or chosen for a specific purpose. ([1.3.12](#))

Destruction of Records – destroying paper file or disassociating identifying information from offense information. ([60-22](#))

Detention - the holding or temporary placement of the youth in the youth's home under house arrest or in a facility other than the youth's own home for the purpose of ensuring the continued custody of the youth at any time after the youth is taken into custody. ([1.1.15](#)) ([100-2](#)) ([100-3](#)) ([100-4](#)) ([100-5](#))

Direct Supervision - supervision of a youth residing in the primary juvenile parole officer's region. ([4.2.1](#)) ([60-1](#))

Discharge - formal action requiring the signature of the director and notification of the committing youth court judge taken by the Department to relieve the state of any and all court ordered responsibility over a youth who has been formally committed to its custody or automatic action in the case of a youth whose commitment order has expired. ([4.7.3](#)) ([110-1](#))

Discharged Youth - an individual who was previously under supervision of the youth services division. ([1.3.12](#)) ([1.3.16](#))

Disposable Income - that part of earnings of any individual remaining after the deduction from those earnings of any amounts required by law to be withheld. ([200-9](#))

Dissemination - communication or transfer of criminal justice information to individuals or agencies other than the criminal justice agency that maintains the information. It includes confirmation of the existence or nonexistence of criminal justice information. ([40-2](#))

Distance Education – learning and teaching that occurs when the student and teacher are not necessarily at the same location or interacting at the same time. ([1.4.1](#))

Division Administrator - not only those titled division administrator but also wardens or

those upper level managers that are supervised directly by the director. ([1.1.1](#))

Division Annual Training Plan – the division’s annual training plans that are based on a training needs assessment to identify site-specific needs. ([1.4.1](#))

Division Annual Training Report – a summary of each bureau’s annual training activities including orientation, basic, in-service, and professional training that detail the extent to which training policy requirements are met. ([1.4.1](#))

DOC Intelligence Coordinator - the individual assigned by the director, or designee, to be responsible for coordinating security threat group intelligence information on behalf of the entire Department. ([3.1.24](#))

DocGen – a system that generates specific documents from an interface with CAPS. ([200-4](#))

Documentation - reports such as incident reports, medical evaluation report, infraction and use of force information reports or pictures and/or videotapes of an incident including all information identifying relevant evidence. ([60-21](#))

DPHHS – Department of Public Health and Human Services for the State of Montana. ([150-1](#)) ([200-3](#)) ([200-4](#)) ([200-7](#)) ([200-8](#))

Drug - any substance described in [50-32-101, MCA](#), et. seq., or any substance, taken through any means of administration, which alters the mood, the level of perception, or brain functioning. Such substances may range from prescription medications to illegal substances, as well as alcohol and solvents. ([60-19](#))

Drug Testing – using specialized equipment and chemical techniques to identify the presence of a drug or drug metabolite through testing a biological specimen collected from an individual. ([60-19](#))

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Early Discharge - occurs when the division administrator and Department director approve a juvenile parole officer’s request on a youth who has met the conditions of the parole agreement, all imposed court-ordered conditions, including restitution, and has received maximum benefit from all services available through the Department. ([110-1](#))

Electronic Monitoring - an electronically controlled monitoring system for the purpose of tighter monitoring of youth activities, and limiting opportunity for continued parole and curfew violations. ([60-15](#))

Emergency – an urgent event/circumstance that requires immediate staff response beyond normal duties or routine duties (e.g., fight, riot, natural disaster, medical emergency, etc.). ([3.2.1](#))

Emergency Capacity – any time a secure-care facility reaches a population that exceeds its

capacity which has been established by the Department. ([4.7.3](#))

Emergency Training – training staff on their roles and responsibilities in preventing, responding to, and resolving emergencies. ([1.4.1](#))

Employee – paid employees or contracted persons, volunteers and interns who are paid or donate time or services to the Department, and individual service providers, e.g., delivery, maintenance, vendors, or other service providers who may not be contracted by the Department. ([1.3.12](#))

Encumbrance - the total of funds already spent and funds committed to be spent (based on projected end dates of fiscal year placements and/or services). ([200-2](#))

Evaluation/Treatment Section - clinical, educational, mental and chemical dependency evaluation and progress reports. ([60-20](#))

Evidence Kit - a collection of materials maintained by the juvenile parole officer that includes evidence tape, identification labels and tags, evidence envelopes and bags, latex or non-latex gloves, and [YCC 60-5 \(B\) Receipt and Log for Confiscated Property](#). The evidence kit should be kept in the officer's state vehicle trunk for easy access. ([60-5](#))

Expenditures – monies paid out of the juvenile placement dollars, either through CAPS entries or through payments made directly from the fiscal office. ([200-8](#))

Expense - funds that have actually been spent, or paid to a provider. ([200-2](#))

ExpRecon-2 – Expense Reconciliation form. ([200-8](#))

Extension - a travel permit granting the youth additional travel time past the original return date on the travel permit (up to 30 days maximum). ([80-1](#))

External Posting – an advertisement of a job opening outside the Department of Corrections. ([1.3.16](#))

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Facilitated Contact with Youth - a mediation or counseling technique which brings together a victim and youth under the direction of a neutral facilitator. Typically, the youth's offense is against property, and sessions may include family members or other supporters. ([60-9](#))

Facility – great falls youth transition centers, riverside youth correctional facility or pine hills youth correctional facility. ([60-23](#))

Facility/Program Intelligence Coordinators - the individuals assigned by the Department director, or designee, at each facility/program to provide security threat group intelligence information to the Department's investigation unit and/or other offices

designated by the Department. ([3.1.24](#))

Family Medicaid – public health care coverage for some low-income families administered by DPHHS. ([60-25](#))

Field File - an automated or hard copy record that is created and maintained in the field offices that consists of legal documents, reports, submissions, statements and support materials used to make decisions about the youth in regard to custody, treatment programs, supervision, parole, and general case management. ([1.5.5](#))

Field Investigation - an investigation conducted by a juvenile parole officer or transition centers director to determine the appropriateness of a placement for a youth. ([4.7.3](#)) ([60-2](#))

File Section - divided sections within the file to assist in finding materials easily. ([60-20](#))

Financial Affidavit - the Montana Department of Corrections financial affidavit for cost-of-care contributions used to obtain financial information from a youth's parent(s) or guardian(s). ([200-3](#))

Fiscal Database – Access database used to journal all youth placements, services, income, expenses, etc. ([200-8](#))

Flex Cuffs - temporary restraints made of flexible material to be used during emergency situations, or at times when other restraints are not available. ([60-21](#))

Formal Youth Court Records – information or data, either in written or electronic form, on file with the clerk of district court pertaining to a youth under the jurisdiction of the youth court and includes petitions, motions, other filed pleadings, court findings, verdicts, orders and decrees, and pre-dispositional studies. ([60-22](#))

Foster Care Provider - an individual or family licensed and authorized by the Department of Public Health and Human Services (DPHHS) pursuant to rules, regulations and standards adopted by DPHHS for such providers. ([60-1](#))

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Graduated Sanctions – various responses to youth parole violations that increase with severity of violation. ([100-2](#))

Great Falls Youth Transition Centers - are operated by the Department of Corrections, youth services division and provide separate housing for males and females. The program focuses on youth who are having a difficult time adjusting in the community after being released from a secure facility. The program allows a graduated sanction option other than sending a youth back to a correctional facility. It is also used for youth who are leaving a secure facility when another appropriate placement is not available, or when the youth needs a short-term placement while awaiting another community

placement. ([1.1.3](#)) ([1.5.5](#)) ([60-14](#))

Great Falls Youth Transition Centers Director – responsible for organizing and managing the centers. Responsibilities include fiscal management, personnel management, information and research management, medical and health care services and inter/intra-center communication. ([1.1.3](#))

Grievance - an individual complaint filed by a youth or his/her parent(s), guardian(s), custodian(s), or their representative(s) concerning subject matter as outlined in this policy. ([60-12](#))

Grievance Coordinator – the staff member assigned to administer, investigate, and respond to youth grievances. The responsibilities of this position may also apply to that person's designee. ([60-12](#))

Guardian – an adult who is either the parent or another individual to whom the court has granted guardianship. Legal custody does not equate to guardianship. ([60-10](#)) ([60-17](#)) ([200-3](#)) ([200-4](#))

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Harassment - to annoy continually; harry, plague, pester, tease, tantalize because of a person's race, color, national origin, age, physical or mental disability, marital status, religion, creed, sexual orientation or political beliefs. Per [ARM 2.21.4013](#), harassment may also include: (a) coercion of employees, clients, or customers in the participation or non-participation in religious activities; or (b) ethnic slurs, repeated jokes, innuendoes, or other verbal or physical conduct because of a person's nationality, race, color, age, physical or mental disability, marital status, religion, creed, sexual orientation or political beliefs if these actions create an intimidating, hostile or offensive working environment. ([1.3.52](#))

Hardship Case – includes serious or terminal illness, imminent death, or death of a member of the youth's immediate family. ([4.7.3](#))

Healthy Montana Kids (HMK) –low-cost coverage (previously known as CHIP) for children and teenagers up to age 19 administered by DPHHS. ([60-25](#))

Healthy Montana Kids Plus (HMK Plus) – free coverage (previously known as children's Medicaid) for children and teenagers up to age 19 administered by DPHHS. ([60-25](#))

Hearings Officer - a regional program administrator or juvenile parole officer II employed by Department of Corrections and who has not been directly involved in the case of the youth for whom the hearing is held. ([4.7.4](#)) ([100-2](#)) ([100-4](#)) ([100-5](#))

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ICJ - Interstate Compact for Juveniles. ([130-1](#))

Immediate Family- includes parents, spouses, siblings, and children of the youth. An exception for grandparents or extended family may be granted if there is solid evidence the grandparent or extended family member was a significant person in the youth's life. ([4.7.3](#))

Immediate Response – action that staff may immediately take in response to an emergency situation that constitutes a serious threat to the safety of staff, youth or other individuals, and to property or facility security or order. It applies when circumstances do not permit advance planning, consultation or approval by a higher-ranking staff member. ([3.1.8](#)) ([60-21](#))

Inappropriate Relationship – prohibited or unlawful behavior toward a youth, which includes any one or more of the acts listed under section C, prohibited contact and D, alleged staff misconduct, as evidenced by conversation, correspondence, or other observable behavior in policy YCC 1.3.12. ([1.3.12](#))

Income Withholding Order - means an order or other legal process directed to an obligor's employer, as provided in [Title 40, chapter 5, parts 3 and 4](#), or by a tribunal of another state to withhold support from the income of the obligor. ([40-5-103, MCA](#)) ([200-9](#))

IncRecon-1 – Income Reconciliation form. ([200-8](#))

Incurment – The amount of money reducing the youth's monthly income to the Medicaid income limit. (\$525 plus \$50 credit) ([60-25](#))

Independent Study – assigned or approved individual study opportunities, i.e., correspondence courses, reading material, audio/video tapes, and web-based training. ([1.4.1](#))

Indirect Supervision - supervision of a youth who is assigned to a juvenile parole officer but resides in pine hills youth correctional facility, riverside youth correctional facility or out of state under Interstate Compact for Placement of Children (ICPC). ([4.2.1](#)) ([60-1](#))

Individual Employee Training Plan – a training plan designed to meet Department and/or the individual employee's performance objectives and training needs. ([1.4.1](#))

Individual Parent - one parent of a youth who does not maintain a common household with the youth's other parent. ([200-3](#))

Informal Resolution - is verbal or written contact with the appropriate staff to whom the grievance relates or his/her immediate supervisor. ([60-12](#))

Informal Training – includes independent study such as completion of assigned or approved reading material, and audio/video tapes. Independent study must have prior approval of the supervisor and be documented by the supervisor prior to entry into the training record. ([1.4.1](#))

Informal Youth Court Records – information or data, either in written or electronic form, maintained by youth court probation offices pertaining to a youth under the jurisdiction of the youth court and includes reports of preliminary inquiries, youth assessment materials, medical records, school records, and supervision records of probationers. The term does not include information provided by the youth court to the department of public health and human services' management information system. ([60-22](#))

Informant Waiver: - an agreement between the youth (approved by the parent/guardian) the Juvenile Parole Officer (JPO) and the youth community corrections bureau chief, as well as law enforcement. This agreement outlines the expectations of a youth while they are acting as a law enforcement informant. It also releases the Department and others, relative to any liability pertaining to the actions of the youth. Refer to [YCC 60-18 \(A\), Confidential Agreement and Waiver](#). ([60-18](#))

Informant - a youth who, on a limited basis, willingly and with the approval of their parent/guardian, provides confidential information to qualified law enforcement officials. ([60-18](#))

In-service Training – training to develop or maintain minimum job competencies on techniques or topics such as: first aid, first aid refresher, Non-Violent Crisis Intervention (NVC), NVC refresher, sexual harassment, sexual misconduct, and OJT program. ([1.4.1](#))

Intact Family or Household - a family or household in which both parents of the youth (natural or adoptive) reside, and take joint responsibility for maintaining the family or household. ([200-3](#))

Intermediate Sanctions - various consequences for violation of parole agreement, not including return to or placement in a youth correctional facility. ([100-4](#))

Intermediate Weapons – the application of any weapon or object, which is not part of the human body, to control resistance or assault, and may include: restraints, chemical or inflammatory agents such as CS, CN or OC, impact weapons such as collapsible batons, riot batons, riot shields, and conductive energy devices (tasers/stun guns). Youth community corrections do not use chemical or inflammatory agents, impact weapons, or conductive energy devices. ([1.4.1](#))

Interstate Commission for Juveniles – consists of commissioners appointed by the appropriate appointing authority in each compacting state and non-voting members from national organizations. The purpose of the commission is to establish and oversee the development and implementation of rules, financing, training, and compliance for the new compact. ([80-1](#)) ([130-1](#))

Intervention - an informal meeting conducted by a department juvenile parole officer to address parole violations. The purpose of an intervention is to gain compliance through a

contract/agreement. ([100-2](#))

Inventory – an electronic or hard copy itemized list of equipment. ([1.2.8](#))

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Joint and Several Liability – restitution ordered for more than one defendant responsible together and as individuals. ([200-6](#))

Juvenile Court Assessment & Tracking Tool (JCATS) – youth probation database. ([200-6](#))

Juvenile Detention Facility - a licensed detention facility authorized to detain youth for a specific period of time. Short-term facilities may detain a youth up to ten days, excluding weekends and holidays. A long-term facility may detain a youth up to and in excess of ten days. ([100-2](#)) ([100-3](#))

Juvenile Felony Offense - see youth felony offense.

Juvenile Parole Agreement - a document outlining conditions of parole and signed by a youth prior to release from a correctional facility or secure-care facility contracted with the State of Montana. ([4.7.4](#)) ([60-2](#)) ([60-3](#)) ([100-2](#)) ([100-4](#)) ([100-5](#))

Juvenile Parole Officer – a juvenile officer who is funded and supervised by the Montana Department of Corrections, youth services division, youth community corrections bureau. ([150-1](#))

Juvenile Probation Officer - a juvenile officer who is funded by the supreme court's office of the court administration and supervised by the district court judge. ([150-1](#))

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Law Enforcement Records – information or data, either in written or electronic form, maintained by a law enforcement agency, as defined in [7-32-201, MCA](#), pertaining to a youth covered by this chapter. ([60-22](#))

Legal Custody - the legal status created by order of the court of competent jurisdiction that gives a person the right and duty to:

- A. have physical custody of the youth;
- B. determine with whom the youth shall live and for what period;
- C. protect, train, discipline the youth; and
- D. provide the youth with food, shelter, education, and ordinary medical care. ([60-10](#)) ([60-17](#))

Lethal Force – force that may reasonably be expected to cause serious injury or death. ([3.1.8](#)) ([60-21](#))

Long-Term Detention Facility -a detention facility, licensed by the Department, which provides secure detention and programming for youth requiring incarceration in excess of 10 days. ([1.1.15](#))

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Management - youth services division employees with management or supervisory responsibilities and duties including, but not limited to, the youth services division administrator, youth community corrections bureau chief, financial and program services supervisor, and juvenile parole officer IIs. ([10-3](#))

Mandatory Discharge - occurs in the following cases:

- A. Expiration of youth court order: when the court order sets forth the duration of the commitment time.
- B. Youth attains the maximum age as defined by statute.
- C. The youth has been transferred and convicted in criminal court as an adult. ([110-1](#))

Mandatory Training – training that is required or specifically designated by the division administrator to be completed during any given training year. ([1.4.1](#))

Maximum Supervision - a high level of supervision determined by the corresponding assessment score requiring a juvenile parole officer to meet face-to-face with a youth once weekly and to have two collateral contacts per month. ([60-4](#))

Mechanical Restraints - devices such as handcuffs, belly chains, and leg irons. ([60-21](#))

Medicaid – public health care coverage for some low-income adults and children administered by DPHHS. ([60-25](#))

Medicaid Issuance History List (MIHL) - CAPS screen that displays the CHIMES ID and Medicaid issuance by month/year. The information is received from CHIMES (Combined Healthcare Information and Montana Eligibility System). ([60-16](#))

Medical Needy Cash-Option (commonly Med Needy Spend-down) – the amount of the youth's net monthly income above the standard set to meet Medicaid eligibility. ([200-4](#))

Medium Supervision - a medium level of supervision determined by the corresponding assessment score requiring a juvenile parole officer to meet face-to-face with a youth twice monthly and to have one collateral contact per month. ([60-4](#))

Mental Health Professional:

- 1. A certified professional person;
- 2. A physician licensed under [MCA Title 37, chapter 3](#);
- 3. A professional counselor licensed under [MCA Title 37, chapter 23](#);
- 4. A psychologist licensed under [MCA Title 37, chapter 17](#);
- 5. A social worker licensed under [MCA Title 37, chapter 22](#); or
- 6. An advanced practice registered nurse as provided for in [37-8-202, MCA](#), with a clinical specialty in psychiatric mental health nursing. ([4.1.1A](#))

Mentor - an adult person approved according to the Volunteer Policy (YCC 1.3.16) or be employed by a Department contractor. Mentors may include, but not be limited to, educators, employers, counselors, church affiliates, relatives, or family friends who demonstrate pro-social qualities, and are committed to working with youth. The mentor may provide educational assistance, support, or motivation to youth on an individual or group basis. ([60-14](#)) ([1.3.16](#))

Minimum Supervision - a low level of supervision determined by the corresponding assessment score requiring a juvenile parole officer to meet face-to-face with a youth once a month and to have one collateral contact per month. ([60-4](#))

MISTICS - the department of labor information system that contains wage and unemployment benefits data. ([200-3](#))

Mistreatment – pursuant to [45-5-204, MCA](#), means a person commits the criminal offense of mistreating prisoners if, being responsible for the care or custody of a prisoner, the person purposely or knowingly: 1) assaults or otherwise injures a prisoner; 2) intimidates, threatens, endangers, or withholds reasonable necessities from the prisoner with the purpose to obtain a confession from the prisoner or for any other purpose; or, 3) violates any civil right of a prisoner. In youth community corrections policy and procedures prisoner equates to youth. While being responsible for the care or custody of a youth, the person purposely or knowingly: (a) assaults or otherwise injures a youth; (b) intimidates, threatens, endangers, or withholds reasonable necessities from the youth with the purpose to obtain a confession from the youth or for any other purpose; or (c) violates any civil right of a youth. ([1.3.12](#)) ([1.3.52](#))

Montana Automated Child Support Guidelines - the windows-based automated calculation worksheet used to determine contributions for cost of care. ([200-3](#))

Montana ICJ Office - consists of YSD commissioner, deputy compact administrator/designee, and ICJ support staff. ([130-1](#))

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National Crime Information Center (NCIC) - a network managed by the FBI. NCIC is a nationwide computerized index of documented criminal justice information concerning crimes and criminals of nationwide interest and a locator-type file for missing persons. Authorized agencies may inquire, enter, modify, locate, clear, and cancel records in the NCIC files. The NCIC files are wanted persons; missing persons; unidentified persons; foreign fugitives; U.S. secret service protective; bureau of alcohol; tobacco and firearms; violent felons; violent gang and terrorist organizations; articles; boats; guns; vehicles; license plates; securities; and the interstate identification index of criminal history records. ([100-3](#))

NCCHC – National Commission on Correctional Health Care. ([3.2.1](#))

Need to Know – information that staff must have on the youth in order to properly and adequately perform his/her job-related duties and responsibilities as defined by statute, policies, and procedures. ([1.5.6](#)) ([40-2](#))

Neglect – parent or guardian fails to exercise a minimum degree of care in supplying the child with adequate food, clothing, shelter, or education or medical care such that youth less than 18 years of age has impaired physical, mental or emotional condition or is in danger of becoming impaired. Neglect also occurs when the parent or guardian fails to provide the child with proper supervision or guardianship by allowing the child to be harmed, or to be at risk of harm including when the guardian misuses drugs or alcohol him/herself. Neglect is covered in [41-3-102, MCA](#). ([1.3.52](#))

New Employee Orientation – position, site-specific, or on-the-job training for newly hired employees that includes, but is not limited to, review of Department and program purposes, goals, policies, and procedures. ([1.4.1](#))

News Media Plan – written procedures that guide public information officers' ongoing contact with the news media. ([50-2](#))

News Media Representatives – properly credentialed representatives of any accredited news organization that report news for a general circulation newspaper, news magazine, national or international news service, radio or television news program, and internet news service. Authors and freelance journalists who are researching and/or writing about corrections or criminal justice issues must provide their credentials to verify their association with legitimate news or media organizations. Nothing in this definition is intended to remove from the Department director, Department communications director, or facility PIO the discretion to determine who constitutes news media representatives for purposes of access to youth. ([50-2](#))

News Release – an official Department written statement distributed to the news media to inform the public and provide media coverage related to Department business. ([50-2](#))

Non-compensated – an intern who is unpaid and works solely for college credit or valuable work experience. ([1.3.16](#))

Non-Contact Staff – staff members who do not have frequent and continuous contact with youth as a normal function of their job performance; e.g., staff in administrative offices. ([1.4.1](#))

Non-Lethal Force – Physical force not intended nor reasonably expected to cause serious injury or death. ([3.1.8](#))

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On-Site Hearing - a formal parole hearing conducted by a youth community corrections hearings officer to determine if a preponderance of evidence exists on parole violations to support a revocation to a state youth correctional facility. ([4.7.4](#)) ([100-2](#)) ([100-4](#))

([100-5](#))

On-The-Job Training Program (OJT) – a training program in which newly hired correctional officers, and juvenile parole officers are teamed up with, and trained by, experienced formally-trained staff. ([1.4.1](#))

OOS (Out-of-State) Officer - a juvenile parole officer, juvenile probation authority, or detention intake worker in a state other than Montana who is assisting in returning a juvenile parole or juvenile probation absconder. ([130-3](#))

Operative - an individual who willingly cooperates with law enforcement to the extent that they actively engage in “controlled enforcement” activities that would ordinarily be considered a violation of the law. (A youth WILL NOT be an operative.) ([60-18](#))

Order for Cost-of-Care Contribution - the order issued by youth district court requiring parent(s) or guardian(s) to contribute toward the cost of out-of-home placements for youth. [[41-5-1525 \(2\), MCA](#)] ([200-3](#)) ([200-9](#))

Out-of-Home Placement - placements of a youth with extended family members, independent living, foster care, shelter care, group home care and residential treatment facilities. ([60-17](#))

Out-of-State Travel Permit - the written authorization by the juvenile probation or juvenile parole officer given to a juvenile probationer or parolee to travel out of state. ([80-1](#))

Override - the decision of a juvenile parole officer, based upon documented reasoning, to adjust the youth’s supervision level to either a higher or lower level. ([60-4](#))

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Pandemic – increased and sustained human-to-human transmission of a novel influenza virus among the general population. ([3.2.1](#))

Parent - the natural or adoptive parent, but does not include a person whose parental rights have been judicially terminated, nor does it include the putative father of an illegitimate youth unless the putative father’s paternity is established by adjudication or by other clear or convincing proof. [[41-5-103 \(30\), MCA](#)] ([200-3](#)) ([200-4](#))

Parent Agency - the Department of Corrections is the controlling body of the bureau. ([1.1.1](#))

Parole Absconder - a Department of Corrections youth under juvenile parole supervision who hides, conceals, or absents himself/herself with the intent to avoid legal process or authorized control. As it relates to the interstate compact for juveniles, the youth has fled from an authorized placement in another state or has fled to another state from Montana. ([130-3](#))

Parole Violation - an act or behavior of a youth, which does not comply with specific conditions of parole, outlined and signed in the written juvenile parole agreement. (4.7.4) ([100-1](#))

Parole Violation Investigation - the steps taken by the juvenile parole officer to gain more information and determine the truthfulness, accuracy and facts to add to the initial information received regarding an alleged parole violation. ([100-1](#))

Parole Youth - youth released by the Department of Corrections from one of the state youth correctional facilities to the supervision, custody, and control of the youth community corrections bureau including youth who are placed at the youth transition centers. ([4.2.1](#))

Part-time, Contracted Staff, and Volunteers – staff members who work for the Department less than 40 hours per week, contract with the Department to provide a service, or provide services through a volunteer or intern program. ([1.4.1](#))

Payment Approval List (PAYA) – a CAPS screen listing all payments awaiting approval by the worker. ([150-1](#)) ([200-8](#))

Payment Funding Detail (PAFD) – a CAPS screen that is used to view and/or adjust funding information for client-based service payments. ([200-7](#))

Payment Funding Adjustment Detail (PFAD) – Screen on which an adjustment is made. ([200-7](#))

Performance-oriented Training – training that tests an employee's ability to perform specific tasks and meet set standards to successfully complete the training. ([1.4.1](#))

Permanent Case Transfer - the transfer of primary supervision of a youth due to the relocation of the youth's parent/guardian to another county of residence. ([60-11](#))

Physical Abuse - an intentional act, an intentional omission, or gross negligence resulting in substantial skin bruising, internal bleeding, substantial injury to skin, subdural hematoma, burns, bone fractures, extreme pain, permanent or temporary disfigurement, impairment of any bodily organ or function, or death. ([1.3.52](#))

Physical Plant – any buildings or structures, ground, and built-in equipment that is owned, leased and/or occupied by the Department. ([2.1.1](#))

Placement - a youth's residence as determined by the Department of Corrections youth services division. ([60-17](#))

Policy - a Department of Corrections, Montana Operations Manual, youth community corrections bureau or other state agency policy. ([10-3](#))

Policy / Procedure System - an electronic system containing directives, policies, or

procedures that direct the operations of the youth community corrections bureau. ([10-3](#))

Positive Sample - that an initial screen and/or a confirmatory screen show the presence of a controlled or prohibited substance meeting or exceeding the cut-off level as determined by the Department of Corrections. ([60-19](#))

POST – refers to Public Safety Officer Standards and Training council that determines public safety officer qualifications, certification, and basic training requirements. ([1.4.1](#))

Poverty Level - the gross income standard established by the federal government by which eligibility for public assistance is determined. ([200-3](#))

Prevention Incentive Funds - the funds remaining at the end of a fiscal year in the district's initial budget allocation. ([200-1](#))

Primary Officer - the juvenile parole officer with jurisdiction in the county where the youth's parent(s), guardian(s), custodian(s), or their representative(s) resides. In most instances this will be in the county of commitment. The primary officer is responsible for case planning for the youth while under supervision. ([4.2.1](#)) ([60-1](#)) ([60-11](#)) ([60-14](#))

Private Information -

includes information

- a. in which an individual or corporation has a right of privacy;
- b. which, if released, would threaten the safety or security of a person or institution;
- c. which impacts the legitimate correctional interests of the Department;
- d. which is confidential criminal justice information; and
- e. about a youth's progress, or any other information specific to the youth's programming, whether or not court-ordered. ([1.5.6](#))

Probation Absconder - a probation youth, subject to the jurisdiction of a Montana youth court who hides, conceals, or absents himself/herself with the intent to avoid legal process or authorized control. As it relates to interstate compact for juveniles, the youth has fled from an authorized placement in another state or has fled to another state from Montana. ([130-3](#))

Probation Encumbrance Detail Report - the Access database report for reporting encumbrances by judicial district. ([200-2](#))

Probation Expense Detail Report - the Access database report for reporting expenses by judicial district. ([200-2](#))

Procedure - bureau standard operating procedures that are written in compliance with Department of Corrections policies, youth community corrections bureau policies, statutes, Administrative Rules of Montana, standards, court rulings, or other governing entities. ([10-3](#))

Procurement – an acquisition with or without cost by purchasing, renting, or leasing any supplies or services. This includes a description of requirements, selection and solicitation of sources, preparation and award of contract, and all phases of contract administration. It does not include the acquiring of supplies or services by gift. ([1.2.8](#))

Professional Relationship – an employee relationship with youth maintained through well-defined professional boundaries and the highest ethical standards of honesty, integrity, and impartiality pursuant to [DOC 1.3.2, Attachment A., Code of Ethics](#). ([1.3.12](#))

Professional Service Volunteer - an individual who provides a volunteer service that (by state law) requires a certificate or license such as an attorney, medical doctor or psychologist. ([1.3.16](#))

Professional Training – training courses, which typically extend over a period of time, designed to increase knowledge and skills above minimum job competencies, e.g., motivational interviewing, instructor development, staff supervision, Imagine 21, psychCME broadcasts, NIC (National Institute of Corrections) broadcasts, and CLN (Correctional Learning Network) broadcasts. professional training courses generally qualify for Continuing Education Units (CEUs). ([1.4.1](#))

Program – any youth correctional facility or community-based program operated under Department jurisdiction or contract. ([1.4.1](#)) ([50-2](#)) ([60-12](#)) ([60-19](#))

Program Training Specialists – staff who manages the program training functions. ([1.4.1](#))

Public Benefit Program Enrollees – youth who apply and are approved to receive benefits from the Social Security Administration, Medicaid, or other pharmacy or health care benefit programs funded by the State of Montana or the federal government. ([60-13](#))

Public Information Officer (PIO) – an official spokesperson designated by the Youth Services Division (YSD) administrator to provide facility or program information to the public. ([50-2](#))

Public Record for Youth - includes only the youth court record information set forth in [41-5-215 MCA](#), Youth court and department records -- notification of school: Formal youth court records, including reports of preliminary inquiries, petitions, motions, other filed pleadings, court findings, verdicts, and orders and decrees on file with the clerk of court. ([1.5.6](#)) ([40-2](#))

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Qualified Instructor – an employee who has successfully completed an instructor development course or an equivalent program and has met additional specialty instructor or curriculum orientation training as necessary. ([1.4.1](#))

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Random Sampling - the urinalysis screening of randomly selected youth for substance

abuse. ([60-19](#))

Reasonable Suspicion - an officer can point to specific, objective facts and rational inferences that the officer is entitled to draw from those facts in light of the officer's experience. Moreover, the officer's suspicions must be individualized, i.e., specifically directed to the person who is targeted. A reasonable suspicion is something stronger than a mere hunch, but something weaker than probable cause and the officer must be able to substantiate and/or clearly articulate the suspicion. ([60-5](#))

Receiving State - the state receiving a youth for cooperative supervision under the provision of the interstate compact for juveniles. ([130-1](#)) ([130-2](#))

Re-entry Candidate – a youth not discharged directly from the facility and to be supervised by juvenile parole. ([60-2](#))

Regional Program Administrator (RPA) – a technical officer who is funded and supervised by the Department of Corrections, youth services division. ([150-1](#))

Release (Parole) - the correction status change of a youth moving from any Department mandated facility/contractor to a less restrictive placement at which time supervision is assumed by the youth community corrections bureau. It does not mean release from one correctional facility to reside in another correctional facility. ([4.7.3](#)) ([60-2](#)) ([60-6](#))

Report of Violation - a report written by a juvenile parole officer, pursuant to procedure [YCC 100-4, On-site Hearing](#). (Refer to procedure [YCC 100-6, Report of Violation](#)) ([4.7.4](#)) ([100-4](#))

Representative Payee – the party appointed by the Social Security Administration to receive SSB and/or SSI benefits for youth placed out of the home. The main responsibilities of a payee are to use the benefits to pay for the current and foreseeable needs of the youth and properly save any benefits not needed to meet current needs. A payee must also keep records of expenses. When SSA requests a report, a payee must provide an accounting to SSA of how benefits were used or saved. (200-4)

Resident - a youth residing in or having resided in a state youth correctional facility. ([5.3.3](#))

Resources – Real or personal property that has economic value. Resources can include, but are not limited to cash savings, investments, house, land, vehicles, etc. ([60-25](#))

Resources – monies received on behalf of the child (Social Security and/or cost-of-care contributions) for use in offsetting the cost of placement. ([200-8](#))

Restitution - financial payments or services to a victim when these payments are made pursuant to a youth court order committing the youth to the Department of Corrections or to the state following a facility/program requirement. See also Department-required restitution and court ordered restitution. ([5.7.1](#)) ([60-8](#)) ([200-6](#))

Restitution Database – a database established to track the monetary restitution ordered for a parole youth. The database reflects the amount of court-ordered or Department-required restitution, the payments the youth makes toward that restitution, and any payments made to the victim(s) of the youth while in the custody of the youth services division of the Department of Corrections. ([200-6](#))

Retaliation – an act of revenge, either overt or covert, or threat of action taken against a youth or any other individual in response to that youth's or individual's complaint of misconduct or cooperation in the reporting and investigation of alleged misconduct. Forms of retaliation toward a youth or individual may include, but are not limited to, unnecessary or excessive discipline, intimidation, unnecessary changes in work or program assignments, unjustified transfers to other institutions, unwarranted placement in protective custody, and unjustified denials of privileges or services. ([1.3.12](#))

Revenue By Youth Report – the Access database report listing all revenue for each individual Region. ([200-2](#))

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S7851DOC Report - the document direct report of CAPS expenditures, generated on or about the 15th of each month. ([200-2](#))

SABHRS Training Records System – the computer-based data system used specifically for tracking and reporting employee training. ([1.4.1](#))

Sealed – juvenile parole files are inaccessible except by court order upon the youth's 18th birthday for a period of ten years. ([60-22](#))

SEARCHS - the CSED recordkeeping system for child support. ([200-3](#)) ([200-9](#))

Secure Care -confinement of a youth in:

1. A state youth correctional facility, or
2. An out of state youth correctional facility subject to the provisions of [41-5-355, MCA](#). ([4.1.1A](#))

Secure Locker/Vault - a law enforcement property locker or locked storage unit or room maintained by the youth and/or adult community corrections bureau. ([60-5](#))

Security Threat Group (STG) - a group of two or more individuals with a common interest, bond, or activity typically characterized by criminal or delinquent conduct. This term will be used interchangeably with the term "gang". ([3.1.24](#))

Seminar – typically a single day educational conference or discussion focused on a specific topic. ([1.4.1](#))

Sending State - the state which has sent a youth for cooperative supervision under the

provision of the interstate compact for juveniles. ([130-1](#)) ([130-2](#))

Serious Bodily Injury - injury that creates a substantial risk of death or which causes permanent disfigurement or protracted loss or impairment of the function or process of any bodily member or organ. ([60-21](#))

Serious Emotional Disturbance – condition of persons from birth up to age 18, who currently or at any time during the past year, have had a diagnosable mental, behavioral, or emotional disorder of sufficient duration to meet diagnostic criteria specified within the most recent Diagnostic and Statistical Manual of Mental Disorders (DSM) that has resulted in functional impairment which substantially interferes with or limits the child’s role or functioning in family, school, or community activities. ([60-13](#))

Serious Illness- the patient is not expected to live. ([4.7.3](#))

Services Detail: Payable (SERP) – a CAPS screen showing services detail. ([200-8](#))

Services List (SERL) – a CAPS screen that displays a history, in reverse chronological order, of all services provided to a specific youth. ([200-7](#))

Sexual Misconduct - incidents of both staff sexual misconduct and youth-on-youth sexual abuse. The Department defines sexual misconduct, which encompasses both staff sexual misconduct and youth-on-youth sexual abuse, as follows:

1. **Non-consensual Sexual Act**: An incident in which one or more of the following acts occurs without the youth’s consent, or the youth is unable to consent or refuse:
 - a. contact between the penis and the vagina or the penis and the anus involving penetration, however slight. It does not include kicking, grabbing, or punching genitals when the intent is to harm rather than sexually exploit;
 - b. contact between the mouth and the penis, vagina, or anus; and
 - c. penetration of the vagina or anus of another person by hand, finger, or other object.
2. **Abusive Sexual Contact**: Sexual contact without the youth’s consent, or in which the youth is unable to consent or refuse. This includes one or more of the following behaviors:
 - a. intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, or buttocks of the victim; and sexual contact does not include kicking, grabbing, or punching genitals when the intent is to harm or debilitate rather than sexually exploit.
3. **Staff Sexual Misconduct**: Any behavior or act of a sexual nature directed toward a youth by an employee, volunteer, contractor, official visitor, or other agency representative; sexual relationships of a romantic nature between staff and youth are

included in this definition. Consensual or nonconsensual sexual acts are defined as follows:

- a. intentional touching of the genitalia, anus, groin, breast, inner thigh, or buttocks with the intent to abuse, arouse, or gratify sexual desire;
 - b. completed, attempted, threatened, or requested sexual acts; and
 - c. occurrences of indecent exposure, invasion of privacy, or staff voyeurism for sexual gratification.
4. **Staff Sexual Harassment**: Repeated verbal statements or comments of a sexual nature to a youth by an employee, volunteer, contractor, official visitor, or other agency representative. Behaviors may include:
- a. demeaning references to gender or derogatory comments about body or clothing; and
 - b. repeated profane or obscene language or gestures. ([1.3.12](#)) ([1.3.52](#))

Sexual Offense - (a) any violation of or attempt, solicitation, or conspiracy to commit a violation of [45-5-301](#) (Unlawful restraint) (if the victim is less than 18 years of age and the youth is not a parent of the victim), [45-5-302](#) (Kidnapping) (if the victim is less than 18 years of age and the youth is not a parent of the victim), or [45-5-303](#) (Aggravated kidnapping) (if the victim is less than 18 years of age and the youth is not a parent of the victim); [45-5-502](#) (3) (Sexual Assault) (if the victim is less than 16 years of age and the youth is 3 or more years older than the victim), [45-5-503](#) (Sexual Intercourse Without Consent), [45-5-504](#) (1) (Indecent Exposure) (if the victim is under 18 years of age and the youth is 18 years of age or older), [45-5-504](#) (2) (c) (Indecent Exposure, third or subsequent offense), [45-5-507](#) (Incest) (if the victim is under 18 years of age and the youth is 3 or more years older than the victim or if the victim is 12 years of age or younger and the youth is 18 years of age or older at the time of the offense), [45-5-601](#) (3) (Prostitution), [45-5-602](#) (3) (Promoting Prostitution), [45-5-603](#) (1) (b) or (2) (c) (Aggravated Promotion of Prostitution), or [45-5-625](#) (Sexual Abuse of Children); or (b) any violation of a law of another state, a tribal government, or the federal government that is reasonably equivalent to a violation listed in subsection (a) of this definition or for which the youth was required to register as a sexual youth after an adjudication or conviction. ([60-6](#))

Sexual or Violent Offender - a person who has been adjudicated for or convicted of a sexual or violent offense as defined in the Montana Code Annotated or a reasonably equivalent offense under federal law or the laws of another state. ([60-6](#))

Shared Supervision - supervision of a youth who is primary to a juvenile parole officer but resides in another region, at the great falls youth transition centers, or out of state under ICJ. ([4.2.1](#)) ([60-1](#))

Shelter Care Facility - a physically unrestricted facility for the temporary substitute care of youth. [[41-5-103\(38\)](#), MCA] ([200-3](#))

Short Term Detention Facility - a detention facility licensed by the department for the temporary placement or care of youth, for a period not to exceed ten days excluding weekends and legal holidays, pending a probable cause hearing, release, or transfer of the youth to an appropriate detention facility, youth assessment center, or shelter care facility. ([1.1.15](#))

Site Point of Contact (SPOC) – an employee who is tasked with the responsibility of managing the use of the Video Conferencing Services (VCS) equipment at each local site. ([60-23](#))

Social Security Benefits Received Report - the Access database report for reporting SSB and SSI benefits received. ([200-2](#))

SOLA - standard of living allowance. ([200-3](#))

Specialized Training – training that requires staff to maintain necessary knowledge and skills and demonstrate their technical competencies on a predetermined basis. ([1.4.1](#))

Specialty Instructor Training – training to qualify instructors to deliver training in specialty areas, such as first aid, CPR, and defensive tactics. ([1.4.1](#))

Social Security Benefits (SSB) - benefits for youth received from the account of another due to death, disability, blindness, or retirement of that person. SSB will be paid without regard to the youth's placement in a youth correctional facility. SSB payments are made for the prior month. ([60-25](#)) ([200-4](#)) ([200-7](#))

Social Security Income (SSI) - Social Security paid to the youth based on the youth's disability. This type of benefit only pays if the youth is not placed in a youth correctional facility. SSI payments are paid for the current month. ([60-25](#)) ([200-4](#)) ([200-7](#))

SSI Supplemental - a state supplement that is paid for youth who are in a group home placement. This supplement is only available to youth qualifying for SSI. ([200-4](#)) ([200-7](#))

Supplemental Nutrition Assistance Program (SNAP) – public financial assistance program for food purchases only that is administered by DPHHS (previously known as food stamps). ([60-25](#))

Staff Development and Training Bureau – provides course curriculum development, training, technical assistance, and training records management for the Department. ([1.4.1](#))

Standard Metropolitan Statistical Area - a jurisdiction with a population of at least 100,000. ([1.1.15](#))

Standing Training Committee – a committee composed of the program-training specialists and the staff development and training bureau staff. ([1.4.1](#))

State Council – an advisory and advocacy body of state policymakers and experts tasked with developing policy concerning operations and procedures of the interstate compact for juveniles within each state. ([130-1](#))

State Youth Correctional Facility - the pine hills and riverside youth correctional facilities. ([5.3.3](#))

Subject Matter Expert – a staff member who is recognized as having expertise in specific subject areas. ([1.4.1](#))

Substitute Care - full-time care of youth in a residential setting for the purpose of providing food, shelter, security and safety, guidance, direction, and, if necessary, treatment to youth who are removed from or are without care and supervision. [Refer to [41-5-103 \(41\), MCA](#)] ([200-3](#))

Superintendent – the administrator ultimately responsible for the youth correctional facility's operation and management. ([5.3.3](#))

Supervising Juvenile Parole Officer - the officer who will supervise the youth in the community where, the youth is placed, including independent living placement. ([60-14](#))

Supervision Standards - the level of supervision the juvenile parole officer will require the youth to maintain. The juvenile parole officer will develop case plans that will be guided by information obtained in the assessment. The assessment will determine which of the three levels of supervision will be utilized in accomplishing effective case management. The levels include: minimum, medium and maximum. ([60-4](#))

Supplemental Training – training that is not reflected in the Department's annual training plan, which usually does not occur at the worksite and is generally taken at the discretion of the individual employee with administrative approval. ([1.4.1](#))

SUS-1A (Substance Abuse Survey) – this is a tool developed by Kenneth W. Wanberg to assess chemical dependency issues. Its use is optional and is self-administered and scored by the Juvenile Parole Officer. ([60-4](#))

Switchboard - the Access form that makes it easy to navigate between the forms and reports in the database. ([200-2](#))

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Tag Number - is a labeling process to identify confiscated items. The tag number system used is the officer's initials followed by the youth's initials and finally, systematic numbers based on the total number of items confiscated. An example would be officer Joe Parole confiscated four items from John Criminal. The tag identification numbers

utilized on the evidence tags and confiscated receipt is: **JP-JC-1 of 4; JP-JC-2 of 4; JP-JC-3 of 4 and JP-JC-4 of 4.** ([60-5](#))

TEAMS - the DPHHS economic assistance management system. ([200-3](#))

Temporary Assistance for Needy Families (TANF) – public financial assistance program administered by DPHHS. ([60-25](#))

Third Party Right to Privacy - a person who enjoys full constitutional protections of a search only with a lawful warrant. ([60-5](#))

Total Contract Value – the entire potential monetary worth of the project from the beginning to completion, including the initial contract period and any options to renew. ([1.2.8](#))

Total Expenses To Date Report - the Access database report listing, in alphabetical order, the youth for the selected judicial district, and their year- to-date expenses for reconciliation to either the #7851 report or CLPH. ([200-2](#))

Training – an organized, planned, and evaluated activity designed to achieve specific learning objectives and enhance the job performance of personnel that may include classroom instruction, distance learning, on-the-job training, independent study, meetings, and conferences where proof of completion and attendance is required. ([1.4.1](#))

Training Operations Procedure Guide – outlines the procedures to follow when developing, conducting, providing, or requesting training. ([1.4.1](#))

Trust Account – an account that is developed for each youth with resources (SSI, SSB, or cost-of-care contributions). This is a transitional account where income, expenditures, interest and balances are reported. ([200-4](#)) ([200-7](#)) ([200-8](#))

Trust Account Expenditure Detail (TAED) - a CAPS screen used by Regional Program Administrators (RPAs) to request and approve disbursements from a specific youth's trust account. ([200-7](#))

Trust Account Expenditure List (TAEL) - a CAPS screen that displays a list of all requested and actual expenditures from a youth's trust account. ([200-7](#))

Trust Account History Detail (TAHD) - a CAPS screen listing the detail of activity in a youth's trust account for a specific month. ([200-7](#))

Trust Account History List (TAHL) - a CAPS screen that provides a history, by month, of activity that has taken place on a specific youth's trust account. The screen will show beginning balance, income, expenditures and balance adjustments, cost of care and an end balance for the month. ([200-2](#)) ([200-7](#))

Trust Income Document List → Trust Account Check List (TIDL→TACL) – CAPS

screens listing income collected by RPAs, by various means, for youth cost of care. The TIDL screen lists all Youth Services Division cost-of-care deposits by date, the most recent deposit showing at the top of the list. The TACL screen displays the detail of each separate deposit. ([200-7](#))

Tuition Waiver - the board of regents of higher education may waive the cost of tuition for residents qualified under [20-25-421, MCA](#), who meet the criteria set forth in [52-5-112, MCA](#). ([5.3.3](#))

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Undue Familiarity – any conversation, contact, personal or business dealing between an employee and a youth who is under the care, custody, or supervision of the Department that is unnecessary or not part of the employee’s duties, and related to a personal relationship or purpose other than a legitimate correctional purpose. Undue familiarity includes, but is not limited to: acts of horseplay, betting, trading, dealing, socializing, family contact unrelated to the employee’s duties, sharing or giving food, sharing or giving tobacco products, inappropriate personal conversation, exchanging personal correspondence, sexual misconduct, or in any other manner developing a relationship with a youth that is anything other than a professional relationship. ([1.3.12](#))

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Vacation / Visit Only Travel Permit - a travel permit for the purpose of employment, personal business, education, or treatment. This travel is for youth who plan to return to the placement residence or the state of Montana. ([80-1](#))

Validation - process through which a member/associate/suspect of a security threat group is officially recognized through use of the STG validation worksheet. ([3.1.24](#))

Victim - a person who suffers property, physical, or emotional injury as a result of an offense committed by a youth that would be a felony offense if committed by an adult; an adult relative of the victim if the victim is a minor; or an adult relative of a homicide victim. ([40-2](#)) ([60-9](#))

Video Conferencing Services (VCS) –are those services provided by the Department of Corrections through the department of administration, including:
Vision Net – The vendor-provided services used by the Department and Montana court system
Met Net – Montana Education Telecommunications Network
Point-to-Point conferencing among Department of Corrections’ video sites. ([60-23](#))

Violent Offense - (a) any violation of or attempt, solicitation, or conspiracy to commit a violation of [45-5-102](#) (Deliberate Homicide), [45-5-103](#) (Mitigated Deliberate Homicide), [45-5-202](#) (Aggravated Assault), [45-5-206](#) (Partner or Family Member Assault) (third or subsequent offense), [45-5-210](#) (1) (b), (1) (c), or (1) (d) (Assault on a Peace Officer or Judicial Officer), [45-5-212](#) (Assault on a Minor), [45-5-213](#) (Assault with a Weapon), [45-5-302](#) (Kidnapping) (if the victim is not a minor), [45-5-303](#) (Aggravated Kidnapping) (if

the victim is not a minor), [45-5-401](#) (Robbery), [45-6-103](#) (Arson), or [45-9-132](#) (Operation of Unlawful Clandestine Laboratory); or (b) any violation of a law of another state, a tribal government, or the federal government reasonably equivalent to a violation listed in subsection (a) of this definition. ([60-6](#))

Visit for Testing Placement Travel Permit - a travel permit granting permission for a youth to travel to another state with the intent to transfer probation or parole supervision through the interstate compact for juveniles. ([80-1](#))

Visitor – any person having access to any Department or agency offices and workplaces for personal or official reasons. ([1.3.12](#))

Volunteer - any person who has been approved to provide services for Department programs without compensation, including non-compensated interns. ([1.3.12](#)) ([1.3.16](#))

Volunteer Coordinator - a qualified Department employee responsible for organizing, monitoring, and managing volunteer programs for facilities or programs. ([1.3.16](#))

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YCC Video Conference Coordinator – youth services division administrative officer coordinates the video conference requests. ([60-23](#))

Youth - an individual aged 10 through 17 who has been court-ordered to the Department of Corrections for placement into a secure care facility. ([1.1.15](#)) ([1.3.12](#)) ([1.3.52](#)) ([4.2.1](#)) ([50-2](#)) ([60-1](#)) ([60-2](#)) ([150-1](#)) ([200-3](#)) ([200-4](#)) ([200-7](#))

Youth (for financial purposes) - an individual aged 10 through 17 who has been court-ordered to the Department of Corrections or youth court for placement out of the home. ([200-4](#)) ([200-7](#))

Youth Care Facility - a facility that is licensed by DPHHS, or by the appropriate licensing authority in another state, in which substitute care is provided to youth. The term includes youth foster homes, youth group homes, child-care agencies, transitional living programs and youth assessment centers. [[52-2-602 \(10\), MCA](#)] ([60-17](#)) ([60-25](#)) ([200-3](#))

Youth Community Corrections Bureau - juvenile parole, fiscal/regional program administrators, policy, quality assurance, youth placement, great falls youth transition centers, transportation, and detention licensing. ([10-3](#))

Youth Community Corrections Policy Procedure Committee – reviews additions, changes, or deletions to Youth Community Corrections (YCC) policies and procedures. Members will include: YCC bureau chief; YCC policy procedure specialist; youth services division training coordinator; one representative each from interstate compact, aftercare coordinators, transition centers, detention licensing, financial & program

services; juvenile parole officer IIs, and juvenile parole officers. ([10-3](#))

Youth Correctional Facility - the pine hills youth correctional facility, riverside youth correctional facility, or any other contracted secure youth correctional facility. ([60-2](#)) ([60-14](#)) ([5.3.3](#))

Youth Court – the court established to hear all proceedings in which a youth is alleged to be a delinquent youth or a youth in need of intervention and includes the youth court judge, probation officers, and assessment officers. ([60-22](#))

Youth Court Records, Formal and Informal – see formal youth court records and informal youth court records.

Youth Court Services - the juvenile probation office for the respective judicial district. ([200-3](#))

Youth Felony Offense - an offense committed by a youth that, if committed by an adult, would constitute a felony offense. The term includes any offense for which a youth may be declared a serious juvenile offender as defined in [41-5-103 \(28\), MCA](#). ([40-2](#)) ([60-9](#))

Youth in Need of Intervention – a youth who is adjudicated as a youth and who: (a) commits an offense prohibited by law that if committed by an adult would not constitute a criminal offense, including but not limited to a youth who violates any Montana municipal or state law regarding alcoholic beverages or continues to exhibit behavior, including running away from home or habitual truancy, beyond the control of the youth's parents, foster parents, physical custodian, or guardian despite the attempt of the youth's parents, foster parents, physical custodian, or guardian to exert all reasonable efforts to mediate, resolve, or control the youth's behavior; or (b) has committed any of the acts of a delinquent youth but whom the youth court, in its discretion, chooses to regard as a youth in need of intervention. ([150-1](#))

Youth Level of Service/Case Management Inventory (YLS/CMI) - is an assessment tool designed to aid professional workers responsible for assessing youth. It is in the form of a checklist designed to provide a detailed survey of risk and need factors exhibited by the youth and to provide a linkage between these factors and the development of a case plan. The instrument was developed from contemporary theories of criminal behavior. ([60-4](#))

Youth Placement Committee (YPC) – a committee established in [41-5-121, MCA](#) through [41-5-125, MCA](#) assembled in each judicial district for the purpose of recommending an appropriate placement of a youth referred to the youth court or to the department and periodically reviewing out-of-home placements as required by law. ([150-1](#)) ([200-3](#))

Youth Placement Fund Account - the virtual account established for each judicial district containing allocated funds to pay for intervention program and/or placement costs of youth. ([200-2](#))

Youth Property – personal property of the youth that needs to be managed while youth is in the care of the Department of Corrections. ([60-24](#))

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Zero Tolerance - the bureau will vigorously pursue and eliminate illegal drug use through urinalysis, observation, search, investigation, treatment, and other means of intervention. ([60-19](#))